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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/636,783	08/11/2000	Hidefumi Yamashita	13783 (JP9-1999-0150 US1)	8476
7590 06/02/2005 Scully Scott Murphy & Presser 400 Garden City Plaza Garden City, NY 11530			EXAMINER NGUYEN, HOAN C	
			ART UNIT 2871	PAPER NUMBER
DATE MAILED: 06/02/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/636,783

Applicant(s)

YAMASHITA ET AL.

Examiner

HOAN C. NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 March 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 15, 17 and 18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15, 17 and 18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 21 March 2005 has been entered.

Claims 1-14 and 16 are canceled.

### ***Response to Amendment***

Applicant's arguments with respect to amended claim 15, 17 and 18 based on the Response filed on 31 January 2005 have been considered but are moot in view of the same ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Colgan et al. (US5831710A) in view of **Haven (EP0113064) in applicants' IDS.**

Colgan et al. teach (Figs. 2 and 6-7) a liquid crystal display device which has first and second substrates disposed with a predetermined gap, and seals a liquid crystal in the gap, comprising:

- a seal member (adhesive 52) provided at the gap between said first and second substrates (substrate 40 and cover 50), said seal member being disposed outside a display area to seal said liquid crystal 53;
- a wall-like structure (barrier 25) disposed outside the display area and inside the seal member,

wherein there is provided a column-like structure for keeping the gap between said first and second substrates constant, and a shape of said wall-like structure is determined based on a state of said column-like structure, said wall-like structure being made of a different material from that of said seal member and formed in plural rows (col. 5, lines 18-23); said wall-like structure is composed of dashed rows such that the notches in one row of said plural wall-like structures are always offset relative to the notches in another row of said wall-like structures along the lengths of said well-like structure so that said seal material does not flows directly into said display area from exteriorly of said wall-like structures; said notches of said wall-like structure are formed alternately or offset in the plurality of dashed rows so that said seal material does not flow directly into said display area (col. 5, lines 18-23).

wherein (Figs. 2 and 7)

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- positions of the notches of the plural dashed rows in said wall-like structure are determined based on a position of a wiring formed either on said first substrate or on said second substrate (Fig. 7).
- a column-like structure for keeping the gap between said first and second substrates constant is provided, and a shape of said wall-like structure is determined based on a state of said column-like structure.

Claim 17:

- said seal member flows out in a fluidized state when said second substrate is pressed into said first substrate while heating said first and second substrates, and said wall-like structure is capable of stopping said seal member from entering said display area, through said staggered notched walls 25 as shown in Figs. 2 and 7, said seal member being in a fluidized state, and permitting said liquid crystal to flow into outside the wall-like structure when said liquid crystal flows out from said display area. The technique of sealing the seal member and injecting the liquid crystal materials is inherent.

However, Colgan et al. fail to disclose a liquid crystal display device with the wall-like structure formed to a height lower than that of the gap formed between said first substrate and said second substrate, wherein a minor space is formed between a free end of said wall-like structure and the adjacent substrate for reducing the meniscus of liquid crystal material flowing through the space, whereby one said wall-like structure-

forms a barrier to a direct-flow of said seal material through gaps formed by the notches in another said wall-like structure.

**Haven** teaches (Fig. 4) a liquid crystal display device, wherein said wall-like structure (ledge 53) is formed to a height lower than that of the gap formed between said first substrate and said second wherein a minor space is formed between a free end of said wall-like structure and the adjacent substrate for reducing the meniscus of liquid crystal material flowing through the minor space (in abstract), whereby one said wall-like structure-forms a barrier to a direct-flow of said seal material through gaps formed by the notches in another said wall-like structure for preventing the escape or contamination of the liquid crystal material (page 14 lines 15-18).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify a liquid crystal display device as Colgan et al. disclosed with the wall-like structure is formed to a height lower than that of the gap formed between said first substrate and said second substrate wherein a minor space is formed between a free end of said wall-like structure and the adjacent substrate for reducing the meniscus of liquid crystal material flowing through the minor space as taught by **Haven** (in abstract), whereby one said wall-like structure-forms a barrier to a direct-flow of said seal material through gaps formed by the notches in another said wall-like structure for preventing the escape or contamination of the liquid crystal material as taught by **Haven** (page 14 lines 15-18).

2. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Colgan et al. (US5831710A) in view of **Haven (EP0113064) in applicants' IDS** as applied to claims 15 and 17 and in further view of Nagae et al. (US5995190A).

Colgan et al. and **Haven** does not explicitly disclose that said wall like structure is formed by applying photosensitive resin onto said first substrate, performing a UV exposure for the resin using a photomask, and curing the resin wherein an alignment film is applied after the formation of said wall-like structure for regulating orientation the liquid crystal molecules, then the seal member is applied outside the wall-like structure.

Nagae et al. disclose (Fig. 13) said wall like structure formed by applying photosensitive resin (resist layer) onto said first substrate, performing a UV exposure for the resin using a photomask to pattern the wall-like structure (col. 16 lines 45-60), and curing the resin with UV to photopolymerize resin (col. 5 lines 55-60), thereby to harden the resin, wherein an alignment film (polymer film) is applied after the formation of said wall-like structure for regulating orientation the liquid crystal molecules (col. 17 lines 43-45), then the seal member is inherently applied outside the wall-like structure.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify a liquid crystal display device as Colgan et al. and **Haven** disclosed with said wall like structure formed by applying photosensitive resin (resist layer) onto said first substrate, performing a UV exposure for the resin using a photomask to pattern the wall-like structure as taught by Nagae et al. (col. 16 lines 45-60), and curing the resin with UV to photopolymerize resin as taught by Nagae et al. (col. 5 lines 55-60), thereby to harden the resin, wherein an alignment film

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(polymer film) is applied after the formation of said wall-like structure for regulating orientation the liquid crystal molecules as taught by Nagae et al. (col. 17 lines 43-45).

### **Conclusion**

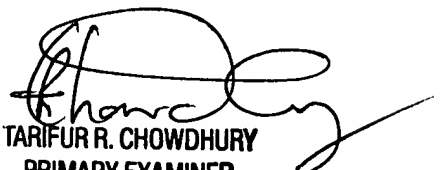
Any inquiry concerning this communication or earlier communications from the examiner should be directed to HOAN C. NGUYEN whose telephone number is (571) 272-2296. The examiner can normally be reached on MONDAY-THURSDAY:8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim H. Robert can be reached on (571) 272-2293. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HOAN C. NGUYEN  
Examiner  
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TARIFUR R. CHOWDHURY  
PRIMARY EXAMINER